APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,137	10/30/2003	Andreas Arning	DE920020036US1	4938

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EXAMINER
TIV, BACKHEAN

ART UNIT	PAPER NUMBER
2151	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/698,137	ARNING ET AL.
	Examiner	Art Unit	
	Backhean Tiv	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10/30/03_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _6/05_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Detailed Action

Claims 1-15 are pending in this application. This is a response to the preliminary

amendment filed on 10/30/03.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 6/1/05 was considered.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

Claim 14 is rejected under 35 U.S.C. 101 because these claims are nonstatutory.

MPEP 2106 states that, "The claimed invention as a whole must >be useful and<

accomplish a practical application. That is, it must produce a "useful, concrete and

tangible result." State Street, 149 F.3d at *>1373-74<, 47 USPQ2d at 1601-02". Claims

14 recites, "a data processing program for execution in a data processing system

comprising software code portions", the examiner considers this limitation as software

instructions/architecture which is an abstract idea. The examiner suggests the applicant

amends to include storing these software instructions/architecture on a computer-

readable medium.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claims 1-15 recites the limitation "said role revealing". There is insufficient

antecedent basis for this limitation in the claim.

Claims 2-3 recites the limitation "said user's userid, said user's name, said uers's

nickname, the contents of TO, the contents of CC, the contents of BCC ". There is

insufficient antecedent basis for this limitation in the claim.

Claim Objections

Claims 1-15 are objected to because of the following informalities:

As per claim 1-15, recites "A computerized method for improved handling of

messages directed to an user of an electronic messaging system said method", the

examiner suggest a colon between messaging system and said method, to read "A

computerized method for improved handling of messages directed to an user of an

electronic messaging system: said method".

As per claim 2, recites "user's userid", the examiner suggest either, "user's ID".

As per claims 2, 3, recites, " a1, a2, a3,......a8, a9", the examiner suggests

labeling each limitation as, " (1), (2)......(8), (9)".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-15 are rejected under 35 U.S.C. 102(b) as being anticipated by US

Patent 6,052,709 issued to Paul.

As per claim 1, Paul teaches a computerized method for improved handling of

messages directed to an user of an electronic messaging system(col.1, lines 50-60):

said method comprising a first step of determining user characteristics capable of

identifying said user as addressee of a message(col.5, lines 10-15); and

said method comprising a second step of analyzing a certain message and

determining its message characteristics from one or a multitude of message fields(col.6,

lines 1-15); and

said method comprising a third step of applying at least one deduction rule of a

potential set of deduction rules to said certain message, which assigns based on said

user characteristics and said message characteristics a role of said user to said certain

message said role revealing said user's relationship to said certain message(col.6, lines 1-43).

As per claim 4, the computerized method for improved handling of messages according to claim 1, wherein in a message list comprising said message and other messages directed to said user; said role assigned to said message is indicated visually(col.7, lines 1-14).

As per claim 5, the computerized method for improved handling of messages according to claim 4, wherein said indication is anyone or combination of the following: an icon uniquely indicating said role; a textual indication of said role(col.7, lines 1-14).

As per claim 6, the computerized method for improved handling of messages according to claim 4, wherein said message list is organized in groups of messages to which a same role has been assigned(col.7, lines 1-14).

As per claim 7, the computerized method for improved handling of messages according to claim 6, wherein within each of said groups messages are organized according to any prioritization technology(col.8, lines 55-65).

As per claim 8, the computerized method for improved handling of messages according to claim 1, wherein, if said message is opened, said message characteristics contributing to said assigned role are visually emphasized(col.7, lines 15-35).

As per claim 9, the computerized method for improved handling of messages according to claim 1, wherein, said third step is performed for each new arriving message; or when a message is opened; or at repeating time intervals for messages for which no role has been assigned yet(Abstract).

As per claim 10, the computerized method for improved handling of messages according to claim 1, wherein, said user characteristics and/or message characteristics are determined by application of data/text mining technology(col.7, lines 35-55).

As per claim 11, the computerized method for improved handling of messages according to claim 1. wherein, if multiple of said deduction rules are applicable, a predefined precedence scheme defines which of said applicable deduction rules finally succeeds(col.7, lines 15-55).

As per claim 12, the computerized method for improved handling of messages according to claim 1, wherein said messaging system is an e-mail system and said messages are e-mails(Abstract).

As per claim 13, a computer system comprising means adapted for carrying out the steps of the method according to claim 1(Abstract).

As per claim 14, a data processing program for execution in a data processing system comprising software code portions for performing a method according to claim 1 when said program is run on said data processing system(Fig.1-8).

As per claim 15, a computer program product stored on a computer usable medium, comprising computer readable program means for causing a computer to perform a method according to claim 1 when said program is run on said computer(Abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,052,709 issued to Paul.

As per claims 2,3 Paul explicitly teaches the computerized method for improved handling of messages according to claim 1, wherein said user characteristics at least comprise one of the following elements:

said user's userid in said messaging system; said user's name; said user's nickname(col.5, lines10-45); and

wherein said message characteristics at least comprise one of the following elements: the contents of a TO: field; the contents of a CC: field, identifying addressees receiving a complimentary copy; the contents of a BCC: field, identifying addressees receiving a blind carbon copy; the contents of the body of said message(col.6, lines 1-44).

Paul, however does not explicitly teach wherein said set of deduction rules comprises at least one of the following deduction rules: a 1. deduction rule, which assigns a role of SINGLE-ADDRESSEE, if said user is the only addressee in said TO: field; a 2. deduction rule, which assigns a role of MULTIPLE-ADDRESSEES, if said user is one of a multitude of addressees in said TO: field; a 3. deduction rule, which assigns a role of SINGLE-CC-ADDRESSEE, if said user is the only addressee in said

CC: field; a 4. deduction rule, which assigns a role of MULTIPLE-CC-ADDRESSEES, if

said user is one of a multitude of addressees in said CC: field; a 5. deduction rule,

which assigns a role of BCC-ADDRESSEE, if said user is an addressee in said BCC:

field; a 6. deduction rule, which assigns a role of DISTRIBUTION-LIST, if said user is a

member of a distribution list in said TO: field, a 7. deduction rule, which assigns a role of

DISTRIBUTION-LIST, if said user is the only or one of a multitude of addressees in said

TO: field but said message does not contain a salutation with said user's name or

nickname; a 8. deduction rule, which assigns a role of DISTRIBUTION-LIST, if said user

is the only or one of a multitude of addressees in said TO: field and if said message

comprises a footer and said footer does not comprise information referring to a person

or entity said user has an established relationship with; a 9. deduction rule, which

assigns a role of SINGLE-ADDRESSEE or a role of MULTIPLE-ADDRESSEES

respectively, if said user is the only one or one of a multitude of addressees

respectively in said CC: field but said message comprises a salutation with said user's

name or nickname.

Paul does teach analyzing emails by checking header fields and/or the body

message and if the message match data stored in the corresponding data category of

the exclusion list manager, then the email is marked indicating "JUNK"(col.6, lines 26-

58).

Therefore it would have been obvious to one ordinary skill in the art at the time of

the invention to modify the teachings of Paul to include filtering rules to check for single

or multiple address and labeling emails since Paul does teach checking header fields

and labeling email as "JUNK" in order to reduce the amount of emails that goes to the Inbox(Fig.5).

One ordinary skill in the art at the time of the invention would have been motivated to modify the teachings of Paul to include filtering based on different types of header fields in order to improve the process of determining SPAM emails.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571) 272-5654. The examiner can normally be reached on M-F 7-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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2151
5/31/07

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